

## **Remarks**

Applicant has reviewed the Office Action dated as mailed May 31, 2006, and the documents cited therewith. After the above amendments, the present application contains claims 1-12 and 14-36. Claims 1, 14, 21, 26 and 32 have been amended. Claim 13 has been canceled.

### **Claim Rejections under 35 U.S.C. §103**

Claims 1-3, 7-15, 18-20, 26 and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ramaley et al. (U.S. Patent #6,931,592) in further view of Ehrman et al. (U.S. Patent #6,610,103). This rejection is respectfully traversed. Applicant respectfully submits that this rejection under 35 U.S.C. §103 does not follow the M.P.E.P. §706.02(j) which states:

“After indicating that the rejection is under 35 U.S.C. §103, the examiner should set forth in the Office Action: . . . (B) the difference or differences in the claim over the applied reference(s), (C) the proposed modification of the applied reference(s) necessary to arrive at the claimed subject matter, and (D) an explanation of why one of ordinary skill in the art at the time the invention was made would have been motivated to make the proposed modification . . . the teaching or suggestion to make the claimed combination and the reasonable expectation of the success must both be found in the prior art and not based on applicant’s disclosure.” *In re Vaeck*, 947 F.2d 488,20 USPQ2d1438 (Fed.Cir.1991).

As discussed in detail below, Applicant respectfully submits that there is no teaching or suggestion in Ramaley and Ehrman that their teachings may be combined so as to provide the present invention as recited in the claims and such motivation only comes from Applicant’s disclosure. This approach constitutes impermissible hindsight and must be avoided. The Office Action admits that Ramaley fails to disclose each line item corresponding to a change in a software product and books associated with the software product. Ehrman was cited for disclosing informational text describing the updates and fixes and their effect on the base software product. Neither Ramaley nor Ehrman show any recognition for the problem solved by the present invention as described in the specification. Namely, to prevent an owner of a book including documentation for a software product from having to review all of the line items corresponding to changes in the software product, and thereby preventing important details from

being overlooked or lost and preventing technical errors in the documentation or books because of incomplete understanding of the line item changes, the book owner being unable to fully consider all line items and the effect on his book or both. Accordingly, there is no motivation to combine Ramaley and Ehrman and such motivation only comes from Applicant's disclosure.

Even if it were proper to combine the teachings of Ramaley and Ehrman, they still would not provide the present invention as recited in the claims. Claim 1 has been amended to recite:

“assigning at least one book of a plurality of books to each of a plurality of writers as an owner of the at least one book by a user on a system to manage documentation, wherein each of the plurality of books includes documentation for a software product;

assigning a predetermined number of line items to each writer by the user on the system to manage documentation to prevent the owner of each book from having to review all of the line items to determine which line items affect the owner's at least one book, wherein each line item corresponds to a change in software product;”

In contrast, Ehrman referring to Figure 2 describes Program Temporary Fixes (PTF) in column 3 at line 54 and Ehrman recites in column 3 beginning at line 62 and continuing in column 4 recites:

“Sometime after the release of the base software product 28, the software developer may provide PTF-1 30. The installation of PTF-1 30 modifies the program functions 36 A and C of the base software product 28 with updates 40 A1 and C1. The PTF-1 30 also provides fixes 42 F1, F2 and F3 that correct various bugs and problems in the base software product 28. PTF-1 30 further includes informational text 44 describing the updates 40 and fixes 42 and their effect on the base software product 28, as well as providing updates and corrections to the release information 38.”

Applicant respectfully submits that there is no teaching or suggestion in Ehrman or Ramaley of a plurality of books each including documentation for a software product, nor does Ehrman or Ramaley teach or suggest line items where in each line item corresponds to a change in the software product. Accordingly, Applicant respectfully submits that there is no teaching or suggestion in either Ramaley or Ehrman of assigning at least one book of a plurality of books to each of a plurality of writers as owner of the least one book by a user on a system to manage documentation, wherein each of the plurality of books includes documentation for a software

product. Nor does Ramaley or Ehrman teach or suggest assigning a predetermined number of line items to each writer to prevent the owner of each book from having to review all of the line items to determine which line items affect the owner's at least one book as provided by the present invention as recited in amended claim 1. For all of these reasons, Applicant respectfully submits that claim 1 is patentably distinguishable over Ramaley and Ehrman, whether considered individually or combined, and reconsideration and withdrawal of the 35 U.S.C. §103 rejection of claim 1 is respectfully requested.

Regarding the rejection of claims 2-3 and 7-14 under 35 U.S.C. §103(a) as being unpatentable over Ramaley in view of Ehrman, these claims recite additional features which further patentably distinguish over Ramaley and Ehrman. Each of these claims recite features related to the books including documentation for a software product and line items corresponding to a change in the software product. As previously discussed, Ehrman does not teach or suggest books including documentation for a software product or line items corresponding to a change in the software product as defined by the present invention as recited in the claims. Additionally, these claims depend either directly or indirectly from independent claim 1. Because of that dependency, these claims contain all of the features of independent claim 1. Therefore, Applicant respectfully submits that claims 2-3 and 7-12 are also patentably distinguishable over Ramaley and Ehrman, whether considered individually or combined, and reconsideration and withdrawal of the Section 103 rejection of these claims is respectfully solicited.

Turning now to the rejection of independent claim 14 under 35 U.S.C. §103(a) as being unpatentable over Ramaley in further view of Ehrman, claim 14 has been amended to recite similar features to independent claim 1. Accordingly, claim 14 is submitted to be patentable over Ramaley and Ehrman for the same reasons discussed with respect to claim 1. Reconsideration and withdrawal of the 35 U.S.C. §103 rejection of independent claim 14 is therefore requested.

Regarding the rejection of claims 15 and 18-20 under 35 U.S.C. §103(a) as being unpatentable over Ramaley in view of Ehrman, these claims also recite features related to books

including documentation for a software product and line items corresponding to changes in the software product. As previously discussed, Ehrman does not teach or suggest a plurality of books including documentation for a software product or line items corresponding to a change in the software product. Nor does Ramaley or Ehrman teach or suggest the features of the present invention recited in claims 15 and 18-20. Furthermore, these claims depend either directly or indirectly from independent claim 14, and by virtue of that dependency, claims 15 and 18-20 contain all of the features of independent claim 14. Therefore, these claims are also submitted to be patentably distinguishable over Ramaley and Ehrman, and reconsideration and withdrawal of the 35 U.S.C. §103 rejection of claims 15 and 18-20 is respectfully requested.

With respect to the rejection of independent claim 26 under 35 U.S.C. §103 as being unpatentable over Ramaley in further view of Ehrman, claim 26 has also been amended to recite features similar to independent claim 1. Therefore, claim 26 is submitted to be patentably distinguishable over Ramaley & Ehrman for the same reasons discussed with respect to independent claim 1.

Claim 30 depends directly from independent claim 26 and because of that dependency contains all of the features of claim 26. Accordingly, Applicant respectfully submits that claim 30 is patentably distinguishable over Ramaley and Ehrman and reconsideration and withdrawal of the Section 103 rejection of claim 30 is respectfully solicited.

Claims 4-5, 16-17, and 27-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ramaley in further view of Ehrman in further view Microsoft (Microsoft, "Release Notes for Windows XP Service Pack 1 and Service Pack 1a," published 9/9/2003). This rejection is respectfully traversed. As previously discussed, neither Ramaley nor Ehrman recognize the problem solved by the present invention and the motivation to combine these documents can only come from the present invention which is improper under M.P.E.P. §706.02(j) as recited above. Applicant further respectfully submits that the Microsoft Release Notes for Windows XP Service Pack 1 and Service Pack 1a also show no recognition for the

problem solved by the present invention as recited in the claims of the present application and the only motivation to combine the Microsoft Release Notes with Ramaley and Ehrman only follows from a reading of the present application which is impermissible hindsight.

Even if it were proper to combine Ramaley, Ehrman and the Microsoft Release Notes, they still would not provide the present invention as recited in claims 4-5, 16-17, and 27-29. Claims 4-5 depend directly or indirectly from independent claim 1, claims 16-17 depend either directly or indirectly from independent claim 14 and claims 27-29 depend either directly or indirectly from independent claim 26. Because of these dependencies, these claims contain all of the features of the referenced independent claim. As previously discussed, independent claims 1, 14 and 26 are patentably distinguishable over Ramaley and Ehrman. Applicant respectfully submits that the Microsoft Release Notes add nothing to the teachings of Ramaley and Ehrman so as to render independent claims 1, 14 and 26 unpatentable. Therefore, claims 4-5, 16-17 and 27-29 are also submitted to be patentably distinguishable over Ramaley, Ehrman and the Microsoft Release Notes, whether considered individually or combined, and reconsideration and withdrawal of the 35 U.S.C. §103 rejection of these claims is respectfully solicited.

Claims 6, 21-22 and 32-33 were rejected under 35 U.S.C. §103 as being unpatentable over Ramaley in further view of Ehrman in further view of Online Training Solutions, Inc. (Online Training Solutions, Inc. "Microsoft Office Word 2003 Step By Step," published 9/24/2003). This rejection is respectfully traversed. As previously discussed, there is no motivation to combine the teachings of Ramaley and Ehrman. Even if it were proper to combine the teachings of Ramaley, Ehrman and Online Training Solutions, they still would not provide the present invention as recited in the claims. Claim 6 depends directly from independent claim 1 and because of that dependency contains all of the features of claim 1. Applicant respectfully submits that Online Training Solutions adds nothing to the teachings of Ramaley and Ehrman so as to render independent claim 1 unpatentable. Therefore, claim 6 is also submitted to be patentably distinguishable over the cited documents, and reconsideration and withdrawal of the Section 103 rejection of claim 6 is respectfully requested.



With respect to the rejection of independent claim 21 under 35 U.S.C. §103 as being unpatentable over Ramaley in further view of Ehrman in further view of Online Training Solutions, claim 21 has been amended to recite:

“a module to assign at least one book of the plurality of books to each of the plurality of writers as an owner of the at least one book by a user of the system to manage documentation; and

a module to assign the predetermined number of line item to each writer by the user of the system to manage documentation to prevent the owner of each book from having to review all of the line items to determine which line items affect the owner's at least one book.”

Accordingly, claim 21 has been amended to recite features similar to independent claim 1. As previously discussed, Ramaley and Ehrman do not teach or suggest the features of the present invention as recited in claim 21 above. Additionally, Applicant respectfully submits that Online Training Solutions also does not teach or suggest these features of the present invention. Therefore, Applicant respectfully submits that independent claim 21 is patentably distinct over Ramaley, Ehrman and Online Training Solutions, whether considered individually or combined, and reconsideration and withdrawal of 35 U.S.C. §103 rejection of claim 21 is respectfully requested.

With regard to the rejection of claim 22 under 35 U.S.C. §103 as being unpatentable over Ramaley in view of Ehrman and in further view of Online Training Solutions, claim 22 depends directly from independent claim 21, and by virtue of that dependency, contains all of the features of claim 21. Therefore, claim 22 is also submitted to be patentably distinguishable over the cited documents and reconsideration and withdrawal of the Section 103 rejection of claim 22 is respectfully requested.

Turning now to the rejection of independent claim 32 under 35 U.S.C. §103 as being unpatentable over Ramaley in view of Ehrman and further in view of Online Training Solutions, claim 32 has been amended to recite similar features to independent claim 1. As previously

discussed, claim 1 is submitted to be patentably distinguishable over Ramaley and Ehrman. Applicant respectfully submits that Online Training Solutions adds nothing to the teachings of Ramaley and Ehrman so as to render independent claim 1 or independent claim 32 unpatentable. Accordingly, claim 32 is submitted to be patentably distinguishable over Ramaley, Ehrman and Online Training Solutions, and reconsideration and withdrawal of the Section 103 rejection of claim 32 is respectfully requested.

With respect to the rejection of claim 33 under 35 U.S.C. §103 as being unpatentable over Ramaley in view of Ehrman and in further view of Online Training Solutions, claim 33 depends directly from independent claim 32 and by virtue of that dependency, contains all of the features of independent claim 32. Therefore, claim 33 is also submitted to be patentably distinguishable over the cited documents, and reconsideration and withdrawal of the Section 103 rejection of claim 33 is requested.

Claims 23-25 and 34-36 were rejected under 35 U.S.C. §103 as being unpatentable over Ramaley in view of Ehrman in further view of Online Training Solutions and in further view of the Microsoft Release Notes for Windows XP Service Pack 1 and Service Pack 1a. This rejection is respectfully traversed. Applicant respectfully submits that none of these documents show any recognition for the problem solved by the present invention as recited in the claims. Accordingly, Applicant respectfully submits that the only motivation for combining these cited documents comes from Applicant's disclosure, which is impermissible hindsight under M.P.E.P. §706.02(j) as recited above.

Even if it were proper to combine Ramaley, Ehrman, Online Training Solutions and the Microsoft Release Notes, they still would not provide the present invention as recited in the claims. Claims 23-25 depend directly or indirectly from independent claim 21. Claims 34-36 depend either directly or indirectly from independent claim 32. Applicant respectfully submits that the Microsoft Release Notes add nothing to the teachings of Ramaley, Ehrman and the Online Training Solutions so as to render independent claims 21 and 32 unpatentable. Therefore,

claims 23-25 and claims 34-36 are also submitted to be patentably distinguishable over the cited documents, and reconsideration and withdrawal of the 35 U.S.C. §103 rejection of these claims is respectfully requested.

Conclusion


If the Examiner has any questions about the present Amendment or anticipates finally rejecting any claim of the present application, a telephone interview is requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Respectfully submitted,

Monica P. Felder  
(Applicant)

Date: August 30, 2006

By:   
Charles L. Moore  
Registration No. 33,742  
Moore & Van Allen PLLC  
P.O. Box 13706  
Research Triangle Park, N.C. 27709  
Telephone: (919) 286-8000  
Facsimile: (919) 286-8199